CP 1007

(4)

IN THE HIGH COURT OF JUDICAURE AT BILASPUR

CHHATTISGARH

W.P.No. 6716/2006

PETITIONER : Amrit Lal Yadav S/o Dular Sai Aged about 31 years, R/o Village - Bataupali 'A' Block Sarangarh Distt Raigarh (C.G.)

VERSUS

RESPONDENTS :

1. State of C.G. through Secretary Panchayat and Social welfare dept. Mantralay Raipur (C.G.)
2. Chief Election Commissioner State Election Commission, Raipur (C.G.).
3. Distt Collector (Distt Returining Officer) Raigrarh (C.G.).
4. Addl. Collector Raigarh Camp. Sarangarh Distt Raigarh.
5. Returning Officer/Naib Tahsildar, By Election Panchayat Block/Tah. Sarangarh, Distt Raigarh

P.R. No. 6943/06 6944/06 K.N. Nayak 1-12-06

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WRIT PETITION U/A 226 OF THE CONSTITUTION OF INDIA.

(29)

HIGH COURT OF CHHATTISGARH: BILASPUR

Single Bench: Hon'ble Shri Satish K. Agnihotri, J.

W. P. No. 6716 of 2006

Petitioner : Amrit Lal Yadav

Versus

Respondent : State of Chhattisgarh & others

Shri K. N. Nande, Advocate for the petitioner.

Shri N. K. Agarwal, Deputy Advocate General for the respondents.

ORDER

(5th December, 2006)

1. The petitioner was elected as Sarpanch of the Gram Panchayat Bataupali 'A' block – Sarangarh, district- Raigarh in the election held in the month of January, 2005. On the basis of complaint against the petitioner regarding financial irregularities, he was disqualified vide order dated 13.6.2006, passed by the prescribed authority i.e. Sub Divisional Officer Sarangarh.
2. Being aggrieved the petitioner has filed an appeal before the Collector which is pending consideration. Learned counsel for the petitioner submits that the election is scheduled to be held on 8th December, 2006 during the pendency of the appeal before the Collector, which has been listed for hearing on 20th December, 2006.
3. In the facts and circumstances of the case, the Collector is directed to take up the grievance of the petitioner before 8.12.2006 and pass appropriate order, in accordance with law, without being influenced by the observations, if any, made hereinabove.
4. With the above direction, this petition stands disposed of finally. No order as to costs.
5. Certified copy of the order, as per Rules be supplied today itself.

Sd/-
Satish K. Agnihotri
Judge

Thakur